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|   |  |                                    |
|---|--|------------------------------------|
| <b>REISSUE APPLICATION DECLARATION BY THE ASSIGNEE</b>  |  | Docket Number (optional)<br>0233C3 |
| I hereby declare that:<br>The residence, mailing address and citizenship of the inventors are stated below.<br>I am authorized to act on behalf of the following assignee: <u>Pioneer Hi-Bred International, Inc.</u><br>and the title of my position with said assignee is: <u>Senior Patent Agent</u><br>The entire title to the patent identified below is vested in said assignee.  |  |                                    |
| Inventor<br>A. Gururaj Rao  | Citizenship<br>US                          |                                    |
| Residence/Mailing Address<br>4743 74th St, Urbandale, IA 50322  |  |                                    |
| Inventor<br>Larry Beach   | Citizenship<br>US                          |                                    |
| Residence/Mailing Address<br>6133 N. Morgan St., Alexandria, VA 22312   |  |                                    |
| <input type="checkbox"/> Additional inventors are named on separately numbered sheets attached hereto.  |  |                                    |
| Patent Number<br>5,990,398  | Date of Patent Issued<br>November 23, 1999 |                                    |
| I believe said inventor(s) to be the original and first inventor(s) of the subject matter which is described and claimed in said patent, for which a reissue patent is sought on the invention entitled:<br><b>HIGH LYSINE DERIVATIVES OF ALPHA-HORDEOTHIONIN</b>   |  |                                    |
| the specification of which<br><input type="checkbox"/> is attached hereto.<br><input checked="" type="checkbox"/> was filed on <u>November 5, 2001</u> as reissue application number <u>10</u> / <u>010,709</u><br>and was amended on <u>11/5/01; 9/14/2001; 3/15/05; attached amendment</u><br>(If applicable)   |  |                                    |
| I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.<br>I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.55.<br><input type="checkbox"/> I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 35B(b). Attached is form PTO/SB/02B (or equivalent) listing the foreign applications.<br>I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)<br><input type="checkbox"/> by reason of a defective specification or drawing.<br><input checked="" type="checkbox"/> by reason of the patentee claiming more or less than he had the right to claim in the patent.<br><input type="checkbox"/> by reason of other errors. |  |                                    |

(Page 1 of 2)

This collection of information is required by 37 CFR 1.175. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  
If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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|   |                |                                    |  |
|---|----------------|------------------------------------|--|
| <b>REISSUE APPLICATION DECLARATION BY THE ASSIGNEE</b>  |                | Docket Number (Optional)<br>0233C3 |  |
| At least one error upon which reissue is based is described as follows:<br>As a result of a miscommunication between the inventor and the agent drafting and prosecuting the application residues 10 and 12 in alpha-hydroxybutyrate were included in the claims for substitution of lysine for the wild-type amino acids.  |                |                                    |  |
| [Attach additional sheets, if needed.]  |                |                                    |  |
| All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant.  |                |                                    |  |
| I hereby appoint:   |                | 26607                              |  |
| <input checked="" type="checkbox"/> Practitioners associated with Customer number:  |                |                                    |  |
| OR  |                |                                    |  |
| <input type="checkbox"/> Practitioner(s) named below:   |                |                                    |  |
| Name  |                | Registration Number                |  |
|   |                |                                    |  |
|   |                |                                    |  |
|   |                |                                    |  |
| as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.   |                |                                    |  |
| Correspondence Address: Direct all communications about the application to:   |                |                                    |  |
| <input checked="" type="checkbox"/> The address associated with Customer Number:  |                | 26607                              |  |
| OR  |                |                                    |  |
| <input type="checkbox"/> Firm or Individual Name  |                |                                    |  |
| Address   |                |                                    |  |
| City  | State          | Zip                                |  |
| Country   | Fax            |                                    |  |
| Telephone   |                |                                    |  |
| I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed. |                |                                    |  |
| Signature   | Date 7/14/2005 |                                    |  |
| Full name of person signing (given name, family name)<br>Kathryn K. Lappagard   |                |                                    |  |
| Address of Assignee<br>7250 NW 42nd Avenue PO Box 552, Johnston, IA 50131   |                |                                    |  |

(Page 2 of 2)

PTO/SB/98 (09-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Pioneer Hi-Bred International, Inc.Application No./Patent No.: 10/010,709Filed/Issue Date: 11/05/2001Entitled: High Lysine Derivatives of Alpha-HordothioninPioneer Hi-Bred International, Inc., a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title, and interest

The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 6564, Frame 089, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Kathryn K. Lappegard  
Signature

Kathryn K. Lappegard

Printed or Typed Name

Senior Patent Agent

Title

Sept. 8, 2005  
Date

(515) 253-5707

Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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OFFICE

JAN 17 1993

Serial No. 08/003,885

Filed: January 13, 1993

Case: 0233 US

## ASSIGNMENT

For one Dollar (\$1) and other valuable consideration received, A. Gururaj Rao, of 4734 74th Street, Urbandale, Polk County, Iowa 50322, United States of America, and Larry Beach, of 3939 Maquoketa Drive, Des Moines, Polk County, Iowa 50131, United States of America, inventors and owners of an invention in "HIGH LYSINE DERIVATIVES OF ALPHA-HORDOTHIONIN" as disclosed in the application identified above, (the assignee being hereby authorized to insert the U.S. application number herein when it is ascertained) hereby sell, assign, and transfer to Pioneer Hi-Bred International, Inc., an Iowa corporation having a place of business at Des Moines, County of Polk, State of Iowa, United States of America, their entire right, title and interest, for the United States of America and its Territories and for any and all foreign countries, jurisdictions and regions, in and to the invention and to all letters patent or similar legal protection in the United States and its Territories and in any and all foreign countries and regions as are obtained for the invention by the identified application or any continuation, division, renewal, substitute or reissue thereof, or any legal equivalent thereof in any foreign country, jurisdiction or region, for their full terms and any extensions thereof, and including the right to claim priority.

We authorize and request the appropriate granting authorities, including the United States Commissioner of Patents and Trademarks, to issue any letters patent issuing on the invention to Pioneer Hi-Bred International, Inc.

This assignment is made under warranty that we have full power to make the same, that this assignment is not encumbered by any grant, license or other right previously given, and that we will do any further lawful act requested by this assignee or its successors in title in the prosecution of such application, and any and all other applications, United States or foreign, which may be filed on the invention by us or on our behalf, or in the enforcement of any patent rights issuing thereon.

Signed by us on the date or dates hereinafter set forth.

A. Gururaj Rao Jan 13 '93  
A. Gururaj Rao Date

Larry Beach Feb 8 '93  
Larry Beach Date

State of Iowa )  
County of Polk ) SS.

On Jan 13 & Feb 8, 1993 before me personally appeared A. Gururaj Rao and Larry Beach, to me known to be the persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

Michael J. Roth  
Michael J. Roth, Notary Public  
My Commission expires October 11, 1993

JAN 17 1993